

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BYRON EUGENE JOHNSON,

Petitioner,

No. 2: 04-cv-0253 LKK KJN P

vs.

D.L. RUNNELS, et al.,

Respondents.

ORDER

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Petitioner is a state prisoner proceeding without counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 29, 2010, petitioner was ordered to inform the court whether he intended to raise in the amended petition the exhausted prosecutorial misconduct claim based on the prosecutor's dismissal of an African American juror, raised in the original petition. On July 12, 2010, petitioner filed a declaration stating that he intended to raise this claim.

Accordingly, IT IS HEREBY ORDERED that within twenty-eight days of the date of this order, respondent shall file a supplemental response addressing petitioner's


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1 prosecutorial misconduct claim discussed above; petitioner may file a reply to respondent's
2 response within twenty-eight days thereafter.

3 DATED: July 16, 2010

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7 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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